

### **REMARKS**

The Advisory Action mailed January 23, 2007 has been carefully considered.

Reconsideration is respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1, 3-5, 9, 11, 12, 16 and 17 are pending and stand rejected.

Claims 1, 9 and 17 have been amended.

Entry of the amendments to the specification and the claims are respectfully requested prior to the first Official Action in this matter.

With regard to the rejection of the claims in the prior Office Action, Young cannot be said to anticipate the present invention, because Young fails to disclose each of the elements recited in the independent claims.

Young discloses creating different Point-in-Time copies of data to protect data from being overwritten. When data in a POT copy is to be overwritten the data is written directly into the designated POT copy. However, Young fails to teach swapping the transfer and tracking structures as is more specifically recited in the claims. Although the Advisory Action, in maintaining the reason for the rejection, refers to the shadow bitmap and copy bitmap of Young, Young never teaches that the functions of the shadow bitmap and the copy bitmap are swapped as is explicitly recited in the claims.

In view of the foregoing, applicant believes that the application is in condition for allowance and respectfully requests favorable reconsideration.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone number indicated below.

Applicant: Dennis Duprey  
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Respectfully submitted,

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